

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/018,879 Confirmation No.: 8724  
Applicants: Nnochiri Nkem Ekwuribe, et al. Customer No.: 24,239  
Filed: August 5, 2002  
Art Unit: 1654  
Examiner: Jeffrey E. Russel  
Attorney Docket No.: 014811-188.74  
Title: INSULIN PRODRUGS HYDROLYZABLE IN VIVO PEGLYLATED INSULIN

**REAPPLICATION OF PREVIOUSLY PAID ISSUE FEES IN U.S. PATENT APPLICATION NO.**  
**10/018,879**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants are requesting that two (2) previous payments of issue fees be reapplied to the present payment of the issue fee due for the above-identified application.

Notably, by reviewing the PTOL-85 form the PTO is aware that applicants have already paid \$1330.00 which was submitted on October 23, 2003, a copy of the submission included in Appendix A.

However, applicants also submitted another \$700.00 on January 25, 2005 when a second PTOL-85 was submitted. The applicants mistakenly sent \$700.00 instead of the mere \$70.00 that was required as evidenced by the Fee Transmittal form found in Appendix B. Applicants are concerned that the PTO has no record of such a submission of \$700.00 and have not included it as paid on the current PTOL-85 form. Applicants have included the copy of the check and the fact that it was received in the PTO (from the PAIR system).

Importantly, applicants have already paid \$2030.00 in fees towards issuance of this application. Clearly, they have already submitted \$1400.00 and as such, no fees are due at this time. Applicants will be requesting a credit of \$630.00 for overpayment of issue fee under separate cover.

If any questions remain, applicants request that the undersigned attorney be contacted at 919-286-8089.

Respectfully submitted,



Marianne Fuierer  
Attorney for Applicants  
Registration No. 39983

## **APPENDIX A**

## PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail

Mail Stop ISSUE FEE  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 or Fax (703) 746-4000

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Legibly mark-up with any corrections or use Block 1)

20792 7590 10/02/2003

MYERS BIGEL SIBLEY & SAJOVEC  
 PO BOX 37428  
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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

Cathy A. Schetzina

(Depositor's name)

*Cathy A. Schetzina*

(Signature)

October 23, 2003

(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,879	08/05/2002	Nnochiri N. Ekwuribe	9233-74	8724

TITLE OF INVENTION: INSULIN PRODRUGS HYDROLYZABLE IN VIVO TO YIELD MICROPEGLYLATED INSULIN

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1330	\$0	\$1330	01/02/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
RUSSEL, JEFFREY E	1654	424-520000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

Myers Bigel Sibley &  
 1 Sajovec, P.A.

2 William A. Barrett, Esq.

3

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Nobex Corporation  
 Protein Delivery, Inc.

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Durham, NC  
 Research Triangle Park

Please check the appropriate assignee category or categories (will not be printed on the patent); ☐ individual ☒ corporation or other private group entity ☐ government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee☒ Advance Order - # of Copies 1

4b. Payment of Fee(s):

☐ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-0220 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature)

(Date)

Reg. No. 39,303

10/23/03

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Alexandria, Virginia 22313-1450.

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## **APPENDIX B**

## PART B - FEE(S) TRANSMITTAL

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20792 7590 01/04/2005

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Katrina Holland	(Depositor's name)
<i>Katrina Holland</i>	(Signature)
January 25, 2005	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/018,879	08/05/2002	Nnechiri N. Ekwuribe	9233-74	8724

TITLE OF INVENTION: INSULIN PRODRUGS HYDROLYZABLE IN VIVO TO YIELD PEGLYLATED INSULIN

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$70	\$0	\$70	04/04/2005
EXAMINER	ART UNIT	CLASS-SUBCLASS			
RUSSEL, JEFFREY E	1654	424-520000			

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

☒ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.

☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list

(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,

(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1. Moore & Van Allen PLLC2. William A. Barrett

3. \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

Nobex Corporation

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Durham, North Carolina

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☒ Corporation or other private group entity ☐ Government

4a. The following fee(s) are enclosed:

☒ Issue Fee☐ Publication Fee (No small entity discount permitted)☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s):

☒ A check in the amount of the fee(s) is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.

☒ The Director is hereby authorized by charge ~~the required fee(s)~~ any deficiencies or credit any overpayment, to Deposit Account Number 13-4365 (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above. NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature

*William A. Barrett*Date January 25, 2005Typed or printed name William A. BarrettRegistration No. 42,296

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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<b>CHANGE OF</b>	Application	10/018,879
<b>CORRESPONDENCE ADDRESS</b>	Filing Date	August 5, 2002
<i>Application</i>	First Named Inventor	Nnochiri N. Ekwuribe
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Art Unit	1654
	Examiner Name	Russel, Jeffrey E.
	Attorney Docket Number	014811-188.74

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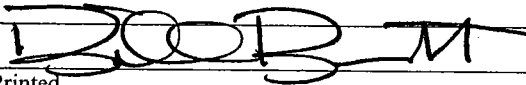
I am the:

☐ Applicant/Inventor

☐ Assignee of record of the entire interest.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ Attorney or agent of record. Registration Number 42,296

☐ Registered practitioner named in the application transmittal letter in an application without an executed oath or declaration. See 37 CFR 1.33(a)(1). Registration Number \_\_\_\_\_

Signature 

Typed or Printed Name William A. Barrett

Date January 25, 2005 Telephone 919/286-8000

NOTE: Signatures of all the inventors of assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required. see below\*

☒ \*Total of 1 forms are submitted

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**MOORE & VAN ALLEN, PLLC**

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In re application of : Ekwuribe, Nnochiri N.

Title: INSULIN PRODRUGS HYDROLYZABLE IN VIVO TO YIELD PEGYLATED INSULIN

Serial No.: 10/018,879

Filed: August 5, 2002

Group Art Unit: 1654

Attorney Docket Number: 014811-188.74

Examiner: Russel, Jeffrey E.

Date Mailed: January 25, 2005

Please confirm receipt of the documents listed below by stamping and depositing this self-addressed, stamped postcard with the United States Postal Service:

1. Issue Fee Transmittal Form (PTO-85),
2. Change of Correspondence Address *Application*
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TR11\598286v1

WAD/KTH

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**RALEIGH, NC 27627**

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(Depositor's name)

*Katrina Holland*

(Signature)

January 25, 2005

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EXAMINER	ART UNIT	CLASS-SUBCLASS
RUSSEL, JEFFREY E	1654	424-520000

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1 Moore & Van Allen PLLC2 William A. Barrett

3 \_\_\_\_\_

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Nobex Corporation

Durham, North Carolina

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Authorized Signature

Date January 25, 2005

Typed or printed name

William A. BarrettRegistration No. 42,296

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